

Justin Fok, Esq., CSB#242272
Law Offices of Jean D. Chen
2107 N. 1st Street, Suite 300
San Jose, CA 95131
Telephone: (408) 437-1788
Facsimile: (408) 437-9788
Email: jfok@jclawoffice.com

Attorney for Plaintiff
Jun Liang and Yunqiu Yuan

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Jun Liang and Yunqiu Yuan

Plaintiff,

v.

Alberto Gonzales, United States Attorney
General, U.S. Department of Justice;
Michael Chertoff, Secretary of the
Department of Homeland Security;
Emilio T. Gonzalez, Director of United States
Citizenship and Immigration Services;
Gerard Heinauer, Director of Nebraska
Service Center, United States Citizenship and
Immigration Services;
Robert S. Mueller, III, Director of the
Federal Bureau of Investigation:

Defendants.

Case No. C 07-2349 CW

**STIPULATION TO RESCHEDULE
SUMMARY JUDGMENT HEARING
DATE; AND ~~PROPOSED~~ ORDER**

Plaintiff, by and through their attorney of record, and Defendants, by and through their attorney of record, hereby stipulate, subject to approval of the Court, to a new Summary Judgment Hearing date in the above-entitled action in light of the following:

1. On August 1, 2007, the parties stipulated to hold the case in abeyance because the Department of State no longer had any visas available for the month of August.

Case No. C 07-2349 CW

1

**STIPULATION TO RESCHEDULE SUMMARY JUDGMENT HEARING DATE; AND
~~PROPOSED~~ ORDER**

1 2. On or around August 15, 2007, the State Department issued *Visa Bulletin for*
2 *September 2007*, indicating that the visas will become available for the month of September
3 **(Exhibit 1)**. According to the *Visa Bulletin for August 2007*, visas are expected to remain
4 available through October 2007 **(Exhibit 2)**.

5 3. Therefore, the parties respectfully request a new Summary Judgment Hearing date of
6 October 11, 2007 at 2:00 PM.

7 4. Additionally, in the interest of judicial economy and for the convenience of the
8 parties, the parties respectfully request that the CMC for this case, currently scheduled for
9 October 23, 2007, be held at the same time as the summary judgment hearing on October 11,
10 2007.

11 The parties will file their cross motions for summary judgment on September 6, 2007,
12 with reply motions due on September 20, 2007.

13
14
15
16 Respectfully Submitted,

17
18 Dated: August 17, 2007

19 _____
20 /s/
21 Justin G. Fok
22 Law Offices of Jean D. Chen
23 Attorney for Plaintiff

24
25
26
27
28 Dated: August 20, 2007

/s/
Ila C. Deiss
Assistant United States Attorney
Attorney for Defendants

///

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

8/24/07

Dated: _____



Claudia Wilken
United States District Judge